



additional notice or hearing by the Court.” (*Id.* at PageID 54.) Anderson has not notified the Clerk of Court that Anderson has ever been transferred from the WTSP to a different facility. On August 5, 2022, the Court dismissed the complaint without prejudice, granted leave to amend, and denied all pending motions (ECF Nos. 12, 13 & 14). (ECF No. 15 (the “Screening Order”).)

Over fourteen (14) months have passed since entry of the Screening Order. Anderson has not filed amended claims, and he has not sought an extension of time to do so.

Given that Anderson has failed to comply with the Screening Order and has failed to prosecute this case, the Court DISMISSES this case with prejudice in its entirety for the reasons discussed in the Screening Order. *See also* Fed. R. Civ. P. 41(b) (“If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it. Unless the dismissal order states otherwise, a dismissal under this subdivision (b) and any dismissal not under this rule -- except one for lack of jurisdiction, improper venue, or failure to join a party under Rule 19 -- operates as an adjudication on the merits”); *Schafer v. City of Defiance Police Dep’t*, 529 F.3d 731, 736 (6th Cir. 2008) (Federal Rule of Civil Procedure 41(b) “confers on district courts the authority to dismiss an action for failure of a plaintiff to prosecute the claim or to comply with the Rules or any order of the Court”) (citing *Knoll v. AT&T*, 176 F.3d 359, 362–63 (6th Cir. 1999)). Judgment will be entered in accordance with the Screening Order.

For § 1915(g) analysis of Anderson’s future filings, if any, the Court recommends that the dismissal of this case be treated as a strike pursuant to § 1915(g). *See Simons v. Washington*, 996 F.3d 350 (6th Cir. 2021).

Pursuant to Federal Rule of Appellate Procedure 24(a) and 28 U.S.C. § 1915(a)(3), it is CERTIFIED that any appeal in this matter by Andersons would not be taken in good faith. If Anderson nevertheless chooses to file a notice of appeal, Anderson must either (1) pay the entire

five hundred and five dollar (\$505.00) appellate filing fee or, if Anderson is confined at that time, (2) submit a new *in forma pauperis* affidavit and a current, certified copy of Anderson's inmate trust account statement for the last six months, in compliance with 28 U.S.C. §§ 1915(a)-(b).

IT IS SO ORDERED, this 16<sup>th</sup> day of October, 2023.

/s/ Samuel H. Mays, Jr.  
SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE